

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----x
UNITED STATES OF AMERICA :ORDER OF FORFEITURE

-----v.- : S1 07 Cr. 783 (WHP)

MAXIMO GOMEZ, :

Defendant. :

-----x
DATE FILED: 7-11-08

WHEREAS, on March 6, 2008, MAXIMO GOMEZ, (the "defendant"), was charged in a two-count Superseding Information S1 07 Cr. 783 (WHP) (the "Information") with conspiracy to distribute, and possession with intent to distribute, a controlled substance, to wit, 500 grams and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(B) and 846 (Count One); conspiracy to distribute or possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(C) and 846 (Count Two);

WHEREAS, the Information included a forfeiture allegation seeking the forfeiture, pursuant to Title 21, United States Code, Section 853, of any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the violations alleged in the Information and any and all property used or intended to be used in any manner or part to

commit and to facilitate the commission of the violations alleged in the Information, including but not limited to a sum of money in United States currency, in that such sum in aggregate is property representing the amount of proceeds obtained as a result of the offense charged in the Information;

WHEREAS, on March 6, 2008, the defendant, pursuant to an agreement with the Government, pled guilty to the Information and agreed to a forfeiture money judgment in the amount of \$1,000.00 in United States currency;

WHEREAS, on July 9, 2008, the defendant was sentenced, inter alia, to a forfeiture money judgment in the amount of \$1,000.00 in United States currency;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offenses charged in the Information, for which the defendant pled guilty, a money judgment in the amount of \$1,000.00 shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, this Order of Forfeiture shall be final as to the defendant, MAXIMO GOMEZ at the time of sentencing and shall be made part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Order of Forfeiture the United States Attorney's Office is authorized to conduct any

discovery needed to identify, locate or dispose of the property, including depositions, interrogatories, requests for production of documents and to issue subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

4. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the "United States Marshals Service", and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007.

5. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Federal Rules of Criminal Procedure 32.2(e).

6. The Clerk of the Court shall forward four certified copies of this Order to Assistant United States Attorney Sharon E. Frase, at the United States Attorney's Office, Southern District of New York, One St. Andrew's Plaza, New York, New York 10007.

Dated: New York, New York
July 10, 2008

SO ORDERED:


HONORABLE WILLIAM H. PAULEY
UNITED STATES DISTRICT JUDGE